

April 1, 2022

U.S. District Judge Paul A. Engelmayer
United States Courthouse
40 Foley Square, Courtroom 1305
New York, New York 10007-1312

U.S. Magistrate Judge Barbara C. Moses
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

RE: Legally Obtained Discovery Evidence from Defendant(s) (“United States of America”)

Dear Judges Engelmayer and Moses,

I am writing this letter to your respective courtrooms and/or chambers, to publicly plead for your reason, logic and legal re-consideration for Plaintiff’s loss business claims, which were improperly and illegally granted to Defendant (“United States of America”) based upon their maliciously deceptive and fraudulently filed: PARTIAL MOTION TO DISMISS, which is dated: September 15, 2020 and marked on the Docket as Document #14.

Plaintiff through Discovery learned today of the Government’s marked Exhibit #USA000055 and marked Exhibit USA000056.

This is the letter from my prior attorney-of-record (“Thomas W. Hochberg, Esq.”), which has a drafted date of March 16, 2019 and Defendant’s (“United States of America”) official federal government stamp of April 1, 2019.

This legal document affirms that Plaintiff complied with the Presentment Clause of the Federal Tort Claims Act and directly contract the Defendant PARTIAL MOTION TO DISMISS.

This legally submitted and fully acknowledged evidence from the United States Postal Service itself, during the prior Administrative Phase of this case is incontrovertible.

I am imploring this Court, to please stop infringing on Plaintiff’s Constitutional Rights which are guaranteed, non-negotiable and inalienable.

Very truly yours,

/s/Frederick Pina, IN PRO PER

EXHIBIT 90-BB

LAW OFFICES OF THOMAS W. HOCHBERG
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March 16, 2019

VIA FIRST CLASS MAIL

Kimberly A. Herbst
Supervisor, Tort Claims Adjudicator
United States Postal Service
1720 Market Street - Room 2400
St. Louis, MO 63155-9948

APR - 1 2019

RE: Claimant: Frederick Pina
Date of Loss: May 31, 2018
NTC Claim No.: NT201843603

Dear Ms. Herbst:

In order to reach an early resolution to this claim, enclosed please find the following:

- Police Report
- SF-95 claim form with estimated losses
- Photographs of the claimant's vehicle
- Repair estimate for claimant's vehicle
- Verification of Self Employment Income form
- Medical/Physical Therapy records
- Home Exercise Regimen

In summary, my client is a 39 year old entrepreneur who was injured when a United States Postal Service truck hit his vehicle at the intersection of Sullivan Street and Spring Street in Manhattan, County of New York. This accident occurred on May 31, 2018.

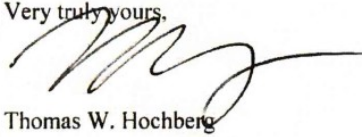
His injuries include a loss of range of motion in his shoulders and neck, tingling pain in both hands, cervical radiculopathy, cervicalgia and paresthesia of the skin. These injuries required extensive physical therapy visits and constant home exercises, which he continues to perform today. His vehicle was also damaged in the amount of almost \$7,000.00.

Mr. Pina runs a small beverage business under the name Japanese Juices, LLC. He was not paid any lost wages by his insurance carrier since he could not provide paycheck stubs, but he has estimated a significant reduction and loss to his business because of the physical pain he suffered after this accident and because his vehicle was unusable.

USA000055

Please review the enclosed documents and I look forward to your response.

Very truly yours,

A handwritten signature in black ink, appearing to read 'THW', with a long, sweeping horizontal stroke extending to the right.

Thomas W. Hochberg

TWH/lsr

USA000056